

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
:
UNITED STATES OF AMERICA,
:
Plaintiff,
:
-and-
:
THE VULCAN SOCIETY, INC., for itself and on behalf of
its members, and MARCUS HAYWOOD, CANDIDO
:
NUÑEZ and ROGER GREGG, individually and on behalf
of a class of all others similarly situated,
:
Plaintiffs-Intervenors,
:
-against-
:
THE CITY OF NEW YORK,
:
Defendant.
:
-----X

**AMENDED EIGHTH
STATEMENT OF FEES &
EXPENSES**

07-cv-2067 (NGG)(RLM)

MARY JO WHITE, Special Master.

The Special Master submits this Amended Eighth Statement of Fees and Expenses pursuant to the Court's June 1, 2010 Order Appointing Special Master (the "Appointment Order") (Dkt. No. 448, ¶ 14). This Statement replaces the Statement of Expenses filed on September 30, 2011 (Dkt. No. 742) and corrects an error in the calculation of expenses incurred by the Special Master's expert.

The Special Master and her law firm have agreed to work on a pro bono basis and accordingly, there are no fees to be paid. For the period of July 26, 2011 through

September 30, 2011, the Special Master has incurred expenses totaling \$1,589.28. An itemized list of the expenses is attached as Exhibit 1.

This statement also includes Dr. Pittman's fees and expenses for the months of August and September. For the month of August, her fees were \$13,687.50 and her expenses were \$1,473.20, for a total of \$15,160.70. For the month of September, Dr. Pittman's fees were \$9,187.50 and her expenses were \$1,719.60, for a total of \$10,907.10. Invoices for Dr. Pittman's fees and expenses are attached hereto as Exhibits 2 and 3. These fees fall within the projected monthly fees of between \$7,000 to \$17,000 stated in the Special Master's Application for Approval of Proposed Budget for Special Master's Expert Consultant (Dkt. No. 516), which was approved by the Court on September 3, 2010 (Dkt. No. 519).

Accordingly, the total expenses for the Special Master's work for this period were \$27,657.08. We respectfully request that that Court approve all of these expenses.

/s/ Mary Jo White

Mary Jo White

Dated: October 25, 2011

EXHIBIT 1

DEBEVOISE & PLIMPTON LLP

919 Third Avenue
New York, NY 10022
Tel 212 909 6000
Fax 212 909 6836
www.debevoise.com

***EASTERN DISTRICT OF NEW YORK-Special Master
Appointment***

09/30/2011

Invoice No.:1238749

Disbursements and Charges itemized for the period Jul 26, 2011 to Sep 20, 2011.

Detailed Breakdown of Charges and Disbursements

Description	Amount
Telephone Toll Calls, Conferencing & Outside Vendors	\$484.53
Federal Express, DHL & UPS deliveries	\$41.19
Duplicating and Binding	\$954.50
Network Word Processing	\$41.80
Lawyer Late Night Transportation	\$67.26
Matter Total	\$1,589.28

EXHIBIT 2

Invoice for Services from:

The Pittman McLenagan Group, L.C.

6626-A Wilson Lane

Bethesda, MD 20817

301.320.9500

Tax Identification #: 52-1924078

PMG Contact:

Shane Pittman, Ph.D.

301-320-9500

Invoice to:

Philip A. Fortino

Debevoise & Plimpton LLP

919 Third Avenue

New York, New York 10022

Billing Hours for Client: NYC v US

Aug-11

Project:	FDNY Entry Level Testing	NYCvUS Aug-11
Invoice #:		
Terms:	Net 15	
Inv. Date:	9/26/2011	
Please Remit this Amount:	\$15,160.70	
Remit to:	<u>The Pittman McLenagan Group, L.C.</u> 6626-A Wilson Lane Bethesda, MD 20817	

Date	Project Description	Hours	Cost
7/28/2011	Call with experts	1.00	\$250.00
8/2/2011	Call with C. Dike	0.25	\$62.50
8/2/2011	Reviewed materials	0.25	\$62.50
8/2/2011	Reviewed/responded to correspondence	0.25	\$62.50
8/2/2011	Research analysis	0.50	\$125.00
8/3/2011	Reviewed materials	0.25	\$62.50
8/3/2011	Reviewed/responded to correspondence	1.00	\$250.00
8/4/2011	Reviewed/responded to correspondence	1.00	\$250.00
8/5/2011	Reviewed materials	0.50	\$125.00
8/5/2011	Reviewed materials	2.00	\$500.00
8/5/2011	Call with experts	1.50	\$375.00
8/5/2011	Prepared materials	1.00	\$250.00
8/8/2011	Reviewed materials; call with C. Dike	1.00	\$250.00
8/9/2011	Call with P. Fortino	0.25	\$62.50
8/9/2011	Call with experts	1.00	\$250.00
8/9/2011	Reviewed materials	1.00	\$250.00
8/10/2011	Call with P. Fortino	1.00	\$250.00
8/10/2011	Reviewed materials; responded to correspondence	1.00	\$250.00
8/10/2011	Reviewed materials	1.00	\$250.00
8/10/2011	Reviewed materials	1.50	\$375.00
8/10/2011	Reviewed materials	0.25	\$62.50
8/11/2011	Reviewed materials	0.25	\$62.50
8/11/2011	Call with Special Master, parties, experts	1.25	\$312.50
8/11/2011	Reviewed materials	1.00	\$250.00
8/12/2011	Call with experts	1.00	\$250.00
8/13/2011	Reviewed/responded to correspondence	0.50	\$125.00
8/15/2011	Reviewed materials	0.50	\$125.00
8/16/2011	Call with experts	1.00	\$250.00

8/16/2011	Call with C. Dike	0.25	\$62.50
8/17/2011	Reviewed materials and correspondence	0.75	\$187.50
8/18/2011	Reviewed materials	0.75	\$187.50
8/18/2011	Reviewed materials; call with C. Dike	1.00	\$250.00
8/18/2011	Reviewed materials; responded to correspondence	1.50	\$375.00
8/19/2011	Call with experts (on hold and later cancelled)	0.50	\$125.00
8/21/2011	Reviewed materials	0.50	\$125.00
8/22/2011	Call with experts	0.50	\$125.00
8/22/2011	Reviewed/responded to correspondence; reviewed materials	0.75	\$187.50
8/23/2011	Reviewed materials	0.50	\$125.00
8/24/2011	Meeting with experts	11.50	\$2,875.00
8/25/2011	Meeting with experts	9.00	\$2,250.00
8/25/2011	Reviewed materials	0.25	\$62.50
8/26/2011	Call with Special Master, unions, parties, experts	0.50	\$125.00
8/26/2011	Call with P. Fortino	1.25	\$312.50
8/30/2011	Reviewed/responded to correspondence	0.25	\$62.50
8/30/2011	Reviewed and researched materials	1.00	\$250.00
8/31/2011	Reviewed materials; responded to correspondence	1.00	\$250.00

\$0.00

\$0.00

\$0.00

\$0.00

Expenses

54.75

\$1,473.20

\$15,160.70

EXHIBIT 3

Invoice for Services from:

The Pittman McLenagan Group, L.C.
6626-A Wilson Lane
Bethesda, MD 20817
301.320.9500
Tax Identification #: 52-1924078
PMG Contact:
 Shane Pittman, Ph.D.
 301-320-9500

Invoice to:
 Philip A. Fortino
 Debevoise & Plimpton LLP
 919 Third Avenue
 New York, New York 10022

Billing Hours for Client: NYC v US
 Sep-11

Project:	FDNY Entry Level Testing
Invoice #:	NYCvUS Sep-11
Terms:	Net 15
Inv. Date:	9/30/2011
Please Remit this Amount:	\$10,907.10
Remit to:	<u>The Pittman McLenagan Group, L.C.</u> 6626-A Wilson Lane Bethesda, MD 20817

Date	Project Description	Hours	Cost
9/1/2011	Reviewed/responded to correspondence	0.25	\$62.50
9/1/2011	Call with experts	1.50	\$375.00
9/7/2011	Meeting with experts	7.00	\$1,750.00
9/8/2011	Reviewed correspondence, materials	1.25	\$312.50
9/9/2011	Call with experts	2.00	\$500.00
9/9/2011	Meeting/call with Special Master, unions, experts, parties	0.25	\$62.50
9/10/2011	Reviewed/responded to correspondence	0.25	\$62.50
9/12/2011	Reviewed materials	0.50	\$125.00
9/15/2011	Meeting with experts; observed session related to test development	10.00	\$2,500.00
9/19/2011	Reviewed/responded to correspondence	0.50	\$125.00
9/19/2011	Review various documents/respond to emails	0.75	\$187.50
9/20/2011	Reviewed/responded to correspondence; reviewed materials	1.00	\$250.00
9/21/2011	Reviewed materials	0.50	\$125.00
9/22/2011	Reviewed/responded to correspondence	0.50	\$125.00
9/22/2011	Meeting with experts	1.25	\$312.50
9/22/2011	Meeting/call with Special Master, unions, experts, parties	0.5	\$125.00
9/21/2011	Reviewed materials	1.00	\$250.00
9/23/2011	Reviewed materials	0.50	\$125.00
9/26/2011	Meeting with experts	1.50	\$375.00
9/26/2011	Reviewed materials	0.50	\$125.00
9/26/2011	Reviewed/responded to correspondence; reviewed materials	0.50	\$125.00
9/27/2011	Reviewed materials	0.25	\$62.50
9/27/2011	Reviewed materials	0.50	\$125.00
9/28/2011	Call with experts	1.25	\$312.50
9/28/2011	Call with C. Dike	0.75	\$187.50
9/30/2011	Meeting with experts	2.00	\$500.00
			\$0.00
			\$0.00
	Expenses		\$1,719.60
		36.75	\$10,907.10